

**MANAGED GROWTH AGREEMENT
REVIEW SHEET**

CITY COUNCIL DATE: August 2, 2012

CASE NUMBER: SP-2008-0097C(XT2).MGA

PROJECT NAME: East Avenue Parcel 5

ADDRESS: 3400 N IH 35

AREA: 2.637 acres

OWNER: UP 32nd Street LLC (M. Timothy Clark)
301 Congress Ave. Suite 500
Austin, TX 78701

AGENT: Jones & Carter, Inc. (James Schissler)
1701 Directors Blvd. Suite 400
Austin, TX 78744

CASE MANAGER: Donna Galati Telephone: 974-2733
donna.galati@austintexas.gov

PROPOSED DEVELOPMENT: The development is a mixed use building including uses such as hotel, condominium residential, and restaurant, including parking drives, drainage and water quality, and utilities.

EXISTING ZONING: The site is zoned PUD; and is located in the Central Austin Combined neighborhood plan, Hancock Subdistrict.

APPLICANT'S REQUEST FOR MGA: The applicant is requesting an additional life of 10 years for an approved site development permit through the Managed Growth Agreement process. The purpose of this agreement is to provide certainty that this project will not be required to undergo design changes as a result of changes to City regulations over a long period of time. The applicant feels that this amount of time is required in order to obtain building permits and complete construction.

This would extend the life of the permit to March 4, 2023.

LEGAL DESCRIPTION: Lot 5, Block A of East Avenue Subdivision, Doc. No.: 200800152

WATERSHED: Waller Creek (Urban)

APPLICABLE WATERSHED ORDINANCE: Comprehensive watershed ordinance
(current code)

CAPITOL VIEW: Not in View Corridor

T.I.A.: Approved with the PUD ordinance approval

PREVIOUS PLANNING COMMISSION ACTION: Not required for the approval of the MGA, managed growth agreement.

SITE PLAN APPROVAL: The site plan was administratively approved March 4, 2009 for a permit life of three years. The expiration date was March 4, 2012. The applicant submitted a one-year extension request, which was approved administratively, moving the site plan expiration date to March 4, 2013.

The site plan is subject to Project Duration under 25-1-535, and has a Project Duration expiration date of March 25, 2013 (five years after initial submittal date). Through the Managed Growth Agreement process, the applicant requests to extend the life of the site plan ten years, to March 4, 2023.

The site complies with portions of Subchapter E that pertain to all zoning districts. The East Avenue development provides for the new Open Space requirement of 5% of gross site area devoted to private common open space through the park parcel areas and sidewalks.

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of the requested Managed Growth Agreement. The site plan meets current code, and consists of multiple buildings. Because the site plan is a mixed-use project and design and construction will exceed five years, it meets the Managed Growth Agreement code requirements for a long-term project.

PROJECT INFORMATION: 2.637 acres

EXISTING ZONING: PUD

MAX. HEIGHT ALLOWED: 182'

MAX PROPOSED HEIGHT: 182'

PROPOSED OVERALL IMPERVIOUS COVERAGE: 79.3%

REQUIRED PARKING: 514 **PROVIDED PARKING:** 530

PROPOSED ACCESS: Duncan Lane & Luther Lane

SUMMARY COMMENTS ON SITE PLAN:

LAND USE: The development is a mixed use building including uses such as hotel, condominium residential, and restaurant, including parking drives, drainage and water quality, and utilities.

ENVIRONMENTAL: This site is located in the Waller Creek Watershed and is classified as Urban. There are no Critical Environmental Features on this site. All environmental comments have been cleared.

TRANSPORTATION: Access will be from Duncan Lane and Luther Lane. A TIA was approved with the PUD. All transportation comments have been cleared.

SURROUNDING CONDITIONS:

Zoning/ Land Use

North: MF-4-CO-NP (Church) and PUD (vacant)

South: MF-4-NP (residential) and PUD (vacant)

West: MF-4-NP (apartments)

East: PUD (vacant)

<u>STREET:</u>	<u>R.O.W.</u>	<u>SURFACING</u>	<u>CLASSIFICATION</u>
Duncan Lane	52'	30'	Local
Luther Lane	54'	20'	Local

NEIGHBORHOOD ORGNIZATIONS:

Anberly Airport Association
Austin Heritage Tree Foundation
Austin Independent School District
Austin Monorail Project
Austin Neighborhoods Council
Beau Site Neighborhood
CANPAC (Central Austin Neigh Plan Area Committee)
Cherrywood Neighborhood Assn.
Concordia Neighborhood Association
Del Valle Community Coalition
Home Builders Association of Greater Austin
Homeless Neighborhood Association
League of Bicycling Voters
PODER
Real Estate Council of Austin, Inc.
SELTEXAS
Sierra Club, Austin Regional Group
Signature Neighborhood Association
Super Duper Neighborhood Objectors and Appealers Organization
Upper Boggy Creek Neighborhood Planning Team